

EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

LAURIE-JO STRATY, TEXAS ALLIANCE
FOR RETIRED AMERICANS, and
BIGTENT CREATIVE,

Plaintiffs,

vs.

GREG ABBOTT, in his official capacity as Governor of the State of Texas; and RUTH HUGHS, in her official capacity as Texas Secretary of State,

Defendants.

Civil Action No. 1:20-cv-1015

Related to:

Texas League of United Latin American Citizens v. Abbott, No. 1:20-cv-1006

DECLARATION OF RICHARD SHAW IN SUPPORT OF PLAINTIFFS' MOTION

Pursuant to 20 U.S.C. § 1746, I, Richard Shaw, declare as follows:

1. My name is Richard Shaw. I am over the age of 18, have personal knowledge of the facts stated in this declaration, and can competently testify to their truth.
2. I live in the Spring Branch neighborhood of Houston, Texas, which is located in Harris County.
3. I am 73 years old. I am retired now, but I remain active in my community. I am a lifelong activist and have been heavily involved in labor movements for decades. I am currently a member of the Texas Alliance of Retired Americans. In addition, I volunteer as an election judge and serve as Precinct Chair for Precinct 0165 in Harris County. In fact, I have worked every general election since the mid 80s. I also volunteer with the Hobby Center, a performing arts studio in the Houston area as an usher. I help visitors with disabilities get to their seats. Through my activism and volunteer work, I often engage with residents in the Houston area about voting and elections.

4. Through my work as a precinct chair, I have become more aware of the peculiarities and changes in the voting process than the majority of my friends, family members, and neighbors. For that reason, my friends, family members, and neighbors often ask me questions about the voting process. I received many questions around the time of the July primary runoff and am continuing to receive questions now. I have followed election updates closely, but the Governor's proclamation caught me by surprise. Especially because it is not a change that makes voting more accessible—instead it will make it harder to vote. That is particularly true for voters like me, who are not accustomed to voting by mail.

5. Because of the pandemic, I voted by mail for the first time in the July primary runoff election. Despite the fact that I have been intimately involved with the in-person voting process for decades, because that was my first-time voting by mail, I was unsure about many aspects of the process. For instance, I did not know how much postage my mail ballot required. I heard the same confusion from others. I ended up putting two stamps on my ballot, to be safe, but I was afraid that I did something wrong. By placing my ballot in the mail for return delivery, I could not guarantee that my ballot was going to be received.

6. Through the many conversations I have had with my friends, family members, and neighbors about voting, I know that many are uncomfortable mailing their ballots and strongly prefer to return them in a manner that ensures that they are timely received. I feel the same way.

7. I and many of the voters I have spoken with worry about the United States Postal Service's ("USPS") ability to return my ballot on-time. I have followed the well-reported delivery delays resulting from the closure of a sorting machine in the Houston area, and have heard many stories from others about their mail service being delayed. I follow local happenings on the smartphone application "Nextdoor." On Nextdoor, I've seen residents of the Houston area

complaint about mail delivery delays. I know many voters are worried that their ballots will not be received in time to be counted. I, too, am not confident that my ballot will be timely delivered by mail.

8. On top of that, I know that Harris County is encountering significant administrative problems. Through my position as Precinct Chair, I have received emails regarding the county's troubles locating polling locations and recruiting and securing experienced poll workers. For instance, I know that some schools that traditionally serve as polling locations will not open their doors to voters in November. And although the school district in my own community, Spring Branch ISD, will be hosting in-person voting on Election Day, it will be doing so while also hosting in-person classes for students. Many voters who might prefer to vote in person in order to ensure that their ballot is counted will not be able to enter a school where thousands of students and other voters will be located.

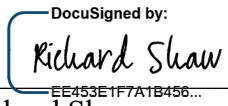
9. Recently, I watched an hour-long news conference from the Harris County Clerk, and by doing so I learned that Harris county will be offering a ballot-tracking option for the first time. Voters will be able to track the status of their mail ballot online. But I know that other voters are not aware of this option. On top of that, I know that the vote tracking data is not always accurate, and the technology is not flawless. In my experience as an election judge, I have encountered mistakes in the data. For instance, when checking voters into a precinct, registered voters sometimes do not appear as registered in the system. In those instances, I will call the voter registrar's office and confirm that the voter is actually registered. Based on that experience, even though I unlike so many others know that vote tracking will be available in Harris County in November, I worry about the reliability of the vote-tracking data and technology.

10. On Nextdoor, I have also seen Houston-area residents echo my own concerns about their voting plans being disrupted. I have heard similar concerns through my volunteer work with the Hobby Center. Just a few days ago, during a Hobby Center Zoom meeting, I heard many Houston-area residents lament about the difficulty of planning to vote in this election. One person on that call reassured the group that there would be multiple locations at which they could drop off their mail ballots. I have similarly informed friends, family members, and neighbors that they can drop off their ballot at many drop-off locations in the county.

11. This November will be the first general election that I have not worked as an election judge or precinct chair in decades. More than ever, I want to contribute to the safe and effective administration of the election. But I cannot risk exposing myself or my wife to COVID-19. Although I am endeavoring to help voters in other ways, by keeping as many of my friends, family members, and neighbors informed about what they must do to return their ballots, I worry that many of my friends and neighbors will not learn that they cannot drop off their ballots at the locations they had been planning on using until it is too late to mail in their ballots and have them be counted.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: October 4, 2020

By: 
Richard Shaw
EE453E1F7A1B456...